

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79144**

This is to certify that: **IRENE VANDERVEGT-GIBSON**
4098 HIDDEN LAKE DR
KIMBERLY, ID 83341

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-16467	WR/DECREED	7/14/1954	1.320 cfs	N/A	66.1	381.2	GROUND WATER
36-16469	WR/DECREED	4/10/1958	2.370 cfs	N/A	172.6	381.2	GROUND WATER
36-16471	WR/DECREED	2/19/1954	2.850 cfs	N/A	142.5	381.2	GROUND WATER
36-2257	WR/DECREED	4/27/1954	5.160 cfs	1180.0 af	295.0	556.0	GROUND WATER
36-7517	WR/DECREED	12/17/1974	4.000 cfs	1044.0 af	N/A	556.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-16468	WR/DECREED	7/14/1954	0.220 cfs	26.4 af		N/A	GROUND WATER
36-16470	WR/DECREED	4/10/1958	0.390 cfs	68.8 af		N/A	GROUND WATER
36-16472	WR/DECREED	2/19/1954	0.470 cfs	56.8 af		N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-16467	YES	YES	YES	NO	YES	YES
36-16469	YES	YES	YES	NO	YES	YES
36-16471	YES	YES	YES	NO	YES	YES
36-2257	YES	YES	YES	NO	YES	YES
36-7517	YES	YES	YES	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-16467	36-17005	0.110 cfs	16.5 af	N/A	N/A	36-16467	1.210 cfs	243.2 af	60.8	349.7
36-16469	36-17009	0.190 cfs	44.3 af	N/A	N/A	36-16469	2.180 cfs	633.6 af	158.4	349.7
36-16471	36-17010	0.240 cfs	37.4 af	N/A	N/A	36-16471	2.610 cfs	522.0 af	130.5	349.7
36-2257	36-17015	0.200 cfs	36.0 af	N/A	N/A	36-2257	4.960 cfs	1133.6 af	283.4	534.2
36-7517	36-17014	0.160 cfs	31.9 af	N/A	N/A	36-7517	3.840 cfs	1003.2 af	250.8	534.2

Transfer No. 79144

SUPPORT DATA

IN FILE # **36-2257**

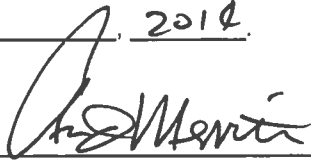
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79144

COMBINED TOTALS	0.900 cfs	166.1 af	N/A	N/A	N/A	N/A	N/A	N/A
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This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 16th day of September, 2014.


Southern Region Manager



WATER RIGHT NO. 36-16467**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-16467 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 7/14/1954

Source: GROUND WATER

BENEFICIAL USE

DOMESTIC
IRRIGATION

From 01/01 to 12/31
03/15 to 11/15

Diversion Rate

0.040 cfs
1.210 cfs
1.210 cfs

Diversion Volume

243.2 af
243.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENE Sec 6 Twp 09S Rge 22E MINIDOKA County
GROUND WATER SESENE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6																X	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			36.0				21.2	31.2	38.1	42.4	34.5	31.0	11.2	40.0	34.1	30.0	349.7
									L 5			L 6	L 7						

Right Acre Limit: 60.8

POU Total Acres: 349.7

CONDITIONS OF APPROVAL

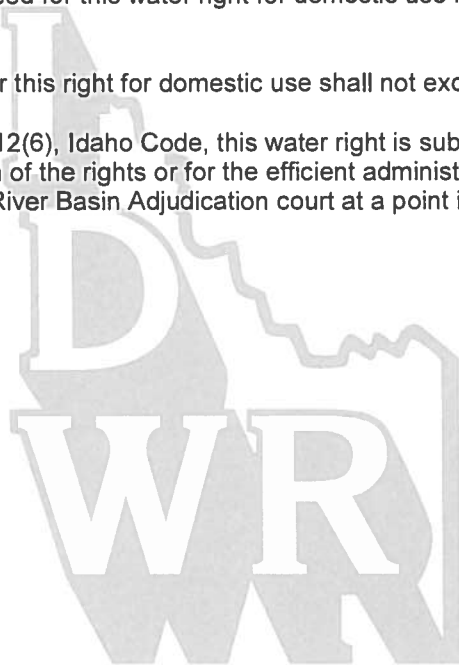
1. Use of this right with rights 36-16469 and 36-16471 is limited to a total combined annual diversion volume of 1398.8 af.
2. This right is limited to the irrigation of 60.8 acres within the place of use described above in a single irrigation season.

Transfer No. 79144

WATER RIGHT NO. 36-16467
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

3. Use of this right with rights 36-16469 and 36-16471 is limited to the irrigation of a combined total of 349.7 acres in a single irrigation season.
4. Rights 36-16469 and 36-16471 are also diverted through the point of diversion located within the SESENE, Sec 6, T09S, R22E described above.
5. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
6. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 36-17005**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-17005 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 7/14/1954

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

1/1
1/1

to 12/31
to 12/31

To**Diversion Rate**

0.110 cfs

0.110 cfs

0.110 cfs

Diversion Volume

16.5 af

16.5 af

16.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NESE
NESE

Sec 6 Twp 09S Rge 22E MINIDOKA County
Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy operation.
2. Rights 36-17005, 36-17009, 36-17010, when combined shall not exceed a total diversion rate of 0.54 cfs, and a total annual maximum diversion volume of 98.2 af.
3. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.

Transfer No. 79144

WATER RIGHT NO. 36-17005

As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
6. Prior to diversion and use of water under Transfer approval 79144, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-16469
As Modified by Transfer No. 79144

In accordance with the approval of Transfer No. 79144, Water Right No. 36-16469 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 4/10/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>		<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to	11/15	2.180 cfs	633.6 af
				2.180 cfs	633.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			36.0				21.2	31.2	38.1	42.4	34.5	31.0	11.2	40.0	34.1	30.0	349.7
									L 5				L 6	L 7					

Right Acre Limit: 158.4
POU Total Acres: 349.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 158.4 acres within the place of use described above in a single irrigation season.
2. Use of this right with right nos. 36-16467 and 36-16471 is limited to the irrigation of a combined total of 349.7 acres in a single irrigation season.
3. Use of this right with right nos. 36-16467 and 36-16471 is limited to a total combined annual diversion volume of 1398.8 af.
4. Right nos. 36-16467 and 36-16471 are also diverted through the point of diversion described above.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 79144

WATER RIGHT NO. 36-17009**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-17009 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 4/10/1958

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From 1/1 to 12/31
1/1 to 12/31

Diversion Rate

0.190 cfs
0.190 cfs
0.190 cfs

Diversion Volume

44.3 af
44.3 af
44.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 6 Twp 09S Rge 22E MINIDOKA County
GROUND WATER NESE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.
3. Rights 36-17005, 36-17009, 36-17010, when combined shall not exceed a total diversion rate of 0.54 cfs, and a total annual maximum diversion volume of 98.2 af.

Transfer No. 79144

WATER RIGHT NO. 36-17009
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
6. Prior to diversion and use of water under Transfer approval 79144, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-16471**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-16471 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 2/19/1954

Source: GROUND WATER

BENEFICIAL USE

DOMESTIC
IRRIGATION

From 01/01 to 12/31
03/15 to 11/15

Diversion Rate

0.040 cfs
2.610 cfs
2.610 cfs

Diversion Volume

522.0 af
522.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6																X	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			36.0				21.2	31.2	38.1	42.4	34.5	31.0	11.2	40.0	34.1	30.0	349.7
									L 5			L 6	L 7						

Right Acre Limit: 130.5

POU Total Acres: 349.7

CONDITIONS OF APPROVAL

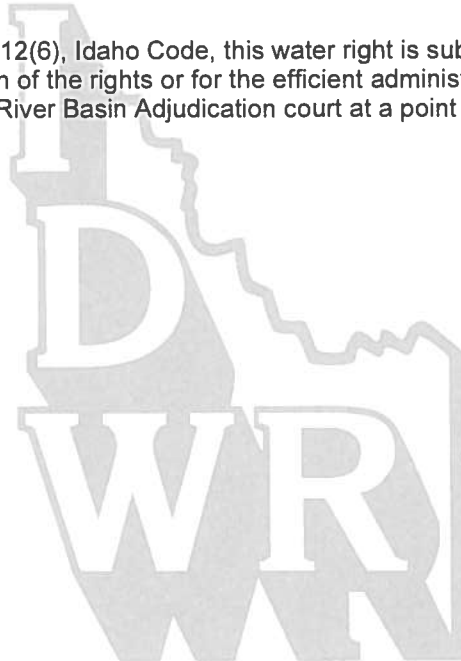
1. This right is limited to the irrigation of 130.5 acres within the place of use described above in a single irrigation season.
2. Use of this right with right nos. 36-16467 and 36-16469 is limited to the irrigation of a combined total of 349.7 acres in a single irrigation season.
3. Use of this right with right nos. 36-16467 and 36-16469 is limited to a total combined annual diversion volume of 1398.8 af.

Transfer No. 79144

WATER RIGHT NO. 36-16471
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. The following rights are also diverted through point of diversion described above: 36-16467 and 36-16469.
5. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 36-17010 **As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-17010 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
 4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 2/19/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 /1	to 12/31	0.240 cfs	37.4 af
STOCKWATER	1 /1	to 12/31	0.240 cfs	37.4 af
			0.240 cfs	37.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	NESE	Sec 6	Twp 09S Rge 22E	MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

CONDITIONS OF APPROVAL

- Commercial use is for a dairy.
- Rights 36-17005, 36-17009, 36-17010, when combined shall not exceed a total diversion rate of 0.54 cfs, and a total annual maximum diversion volume of 98.2 af.
- Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.

Transfer No. 79144

WATER RIGHT NO. 36-17010

As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
6. Prior to diversion and use of water under Transfer approval 79144, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-7517**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-7517 is now described as follows:

Right Holder: VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

Priority Date: 12/17/1974

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 to 10/15

Diversion Rate
3.840 cfs
3.840 cfs

Diversion Volume
1003.2 af
1003.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (SEENW) Sec 5 Twp 09S Rge 22E MINIDOKA County
GROUND WATER NESESW Sec 5 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5	40.0	40.0	40.0	40.0	40.0	14.2	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		534.2
			L 1	L 2			L 3	L 4											

Right Acre Limit: 250.8

POU Total Acres: 534.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 250.8 acres within the authorized place of use in a single irrigation season.
2. Use of this right with right No. 36-02257 is limited to a total combined diversion rate of 8.80 cfs, a total combined annual diversion volume of 2136.8 AF, and a combined total of 534.2 acres in a single irrigation season.
3. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. Right No. 36-02257 is also diverted through point of diversion described above.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Transfer No. 79144

WATER RIGHT NO. 36-7517
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

6. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 36-17014**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-17014 is now described as follows:

Right Holder: IRENE VANDERVEGT-GIBSON
4098 HIDDEN LAKE DR
KIMBERLY, ID 83341

Priority Date: 12/17/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/1	to 12/31	0.160 cfs	31.9 af
STOCKWATER	1/1	to 12/31	0.160 cfs	31.9 af
			0.160 cfs	31.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	NESE	Sec 6	Twp 09S Rge 22E	MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 36-17014 and 36-17015 when combined shall not exceed a total diversion rate of 0.36 cfs, and a total annual maximum diversion volume of 67.9 af.
3. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79144

WATER RIGHT NO. 36-17014

As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to diversion and use of water under Transfer approval 79144, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-2257**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-2257 is now described as follows:

Right Holder: VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

Priority Date: 4/27/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	4.960 cfs	1133.6 af
			4.960 cfs	1133.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3 (SENENW)	Sec 5	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec 5	Twp 09S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5	40.0	40.0	40.0	40.0	40.0	14.2	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	534.2
			L 1	L 2			L 3	L 4											

Right Acre Limit: 283.4

POU Total Acres: 534.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 283.4 acres within the authorized place of use in a single irrigation season.
2. Use of this right with right No. 36-07517 is limited to a total combined diversion rate of 8.80 cfs, a total combined annual diversion volume of 2136.8 AF, and a combined total of 534.2 acres in a single irrigation season.
3. Right No. 36-07517 is also diverted through point of diversion described above.
4. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Transfer No. 79144

WATER RIGHT NO. 36-2257
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

6. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 36-17015**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-17015 is now described as follows:

Right Holder: IRENE VANDERVEGT-GIBSON
4098 HIDDEN LAKE DR
KIMBERLY, ID 83341

Priority Date: 4/27/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/1	to 12/31	0.200 cfs	36.0 af
STOCKWATER	1/1	to 12/31	0.200 cfs	36.0 af
			0.200 cfs	36.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	NESE	Sec 6	Twp 09S	Rge 22E	MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	0.0

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 36-17014 and 36-17015 when combined shall not exceed a total diversion rate of 0.36 cfs, and a total annual maximum diversion volume of 67.9 af.
3. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79144

WATER RIGHT NO. 36-17015
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to diversion and use of water under Transfer approval 79144, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-16468**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-16468 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 7/14/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.220 cfs	26.4 af
STOCKWATER	01/01	to 12/31	0.220 cfs	26.4 af
			0.220 cfs	26.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	NESE	Sec 6	Twp 09S Rge 22E	MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 36-16468, 36-16470, and 36-16472 when combined shall not exceed a total diversion rate of 1.08 cfs and a total annual maximum diversion volume of 152.0 af.
2. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Transfer No. 79144

WATER RIGHT NO. 36-16468
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Prior to the diversion and use of water under Transfer approval 74745, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
8. Commercial use is for a dairy operation.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-16470**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-16470 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 4/10/1958

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From 01/01 to 12/31
01/01 to 12/31

Diversion Rate

0.390 cfs
0.390 cfs
0.390 cfs

Diversion Volume

68.8 af
68.8 af
68.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 6 Twp 09S Rge 22E MINIDOKA County
GROUND WATER NESE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 36-16468, 36-16470, and 36-16472 when combined shall not exceed a total diversion rate of 1.08 cfs and a total annual maximum diversion volume of 152.0 af.
2. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Transfer No. 79144

WATER RIGHT NO. 36-16470

As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Prior to the diversion and use of water under Transfer approval 74745, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
8. Commercial use is for a dairy operation.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 36-16472**As Modified by Transfer No. 79144**

In accordance with the approval of Transfer No. 79144, Water Right No. 36-16472 is now described as follows:

Right Holder: IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR

KIMBERLY, ID 83341

Priority Date: 2/19/1954

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

01/01
01/01

to

To

12/31
12/31

Diversion Rate

0.470 cfs
0.470 cfs
0.470 cfs

Diversion Volume

56.8 af
56.8 af
56.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NESE
NESE

Sec 6 Twp 09S Rge 22E MINIDOKA County
Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6			X	X				X	X				X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 36-16468, 36-16470, and 36-16472 when combined shall not exceed a total diversion rate of 1.08 cfs and a total annual maximum diversion volume of 152.0 af.
2. Rights 36-16468, 36-16470, 36-16472, 36-17014, 36-17015, 36-17005, 36-17009, and 36-17010 when combined shall not exceed a total diversion rate of 1.98 cfs, and a total annual maximum diversion volume of 318.1 af.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Transfer No. 79144

WATER RIGHT NO. 36-16472
As Modified by Transfer No. 79144

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Prior to the diversion and use of water under Transfer approval 74745, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
8. Commercial use is for a dairy operation.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

State of Idaho
Department of Water Resources

Attachment To Transfer No. 79144

Rights: 36-17005, 36-17009, 36-17010, 36-17014 and 36-17015

This map depicts the STOCKWATER and COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 16, 2014

IRENE VANDERVEGT-GIBSON
4098 HIDDEN LAKE DR
KIMBERLY ID 83341

Re: Transfer No: 79143
Water Right No(s): 36-16467, 36-16469, 36-16471

Re: Transfer No: 79144
Water Right No(s): 36-2257, 36-7517, 36-16467, 36-16468, 36-16469, 36-16470,
36-16471, 36-16472

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a distinct "M".

Allen Merritt
Southern Regional Manager

Enclosure

cc:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79143

Water Right No(s): 36-16467, 36-16469, 36-16471

Re: Transfer No: 79144

Water Right No(s): 36-2257, 36-7517, 36-16467, 36-16468, 36-16469, 36-16470, 36-16471, 36-16472

**IRENE VANDERVEGT-GIBSON
4098 HIDDEN LAKE DR
KIMBERLY ID 83341**

**BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

A handwritten signature in black ink, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 16, 2014

CINDY YENTER WATERMASTER
WATER DISTRICT # 130
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

Hand-delivered

Re: **APPROVED Transfer No. 79142, 79143, 79144 (Irene Vandervegt-Gibson
&/or Vandervegt Dairy)**

Dear Ms. Yenter:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer(s) within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in black ink that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 79144
Water Right No: 36-2257 et al
Applicant Name: Vandervegt Gibson

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application
- b) ☒ I do not oppose approval of this application under the following terms:
standard measurement and reporting conditions in WD130
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☒ Additional comment:

Dairy is existing and already measuring. WMIS records 1000404 and 1000405.

Dated: July 18, 2014

Water District 130


Cindy J. Yenter, Watermaster

(main dairy)

TRANSFERS 79142, 79143, 79144

T 79144

BEFORE SPLIT T79144

WR#	Rate	Acres	Volume	%
WR#	Rate	Acres	Volume	%
36-7517	4.00	261	1044	47%
36-2257	5.16	295	1180	53%
Combined	9.16	556	2224	

AFTER SPLIT T79144 to be moved to T79142

WR#	Rate	Acres	Volume	
WR#	Rate	Acres	Volume	
36-7517	3.84	250.8	1003.2	
36-2257	4.96	283.4	1133.6	
Total	8.80	534.2	2136.8	

*Based on Alfalfa, Frequent Cuttings = 3.12 AFA/Acre
Calculated

WR#	Parent	Rate	Acres	Full Volume	Consumptive Volume*
WR#	Parent	Rate	Acres	Full Volume	Consumptive Volume*
36-17014	36-7517	0.16	10.2	40.8	31.9
36-17015	36-2257	0.20	11.6	45.2	36.0
Total		0.36	21.8	86.0	67.90

Total Acres Needed* 21.80

BEFORE SPLIT 79144

WR#	RATE	ACRES	VOLUME	%
WR#	RATE	ACRES	VOLUME	%
36-16467	1.32	66.1	264.4	17%
36-16469	2.37	172.6	690.4	45%
36-16471	2.85	142.5	570	38%
Combined	6.54	381.2	1524.8	

AFTER SPLIT T79144 moved to T79143

WR#	Rate	Acres	Volume
WR#	Rate	Acres	Volume
36-16467	1.21	60.8	243.2
36-16469	2.18	158.4	633.6
36-16471	2.61	130.5	522.0
Totals	6.00	349.7	1398.8

Calculated

WR#	Parent	Rate	Acres	Full Volume	Consumptive Volume
WR#	Parent	Rate	Acres	Full Volume	Consumptive Volume
36-17005	36-16467	0.11	5.3	21.2	16.5
36-17009	36-16469	0.19	14.2	56.8	44.3
36-17010	36-16471	0.24	12.0	48.0	37.4
Totals		0.54	31.5	126.0	98.2

TOTAL ACRES NEEDED 31.4
Based on alfalfa, frequent cuttings= 3.12 AF/acre

ASSOCIATED RIGHTS

Right	Source	Use	Flow	AFA	Acres
Right	Source	Use	Flow	AFA	Acres
37-16472	Groundwater Stock	Stock	0.47	56.8	N/A
0.47 CFS		Commercial	0.47	56.8	N/A
56.8 AFA					
36-16470	Groundwater Stock	Stock	0.39	68.8	N/A

T 79143

RECEIVED

JUN 13 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Affidavit of Publication

STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 5th day of June, 2014 and ending with the issue dated 12th day of June, 2014

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterrupted.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

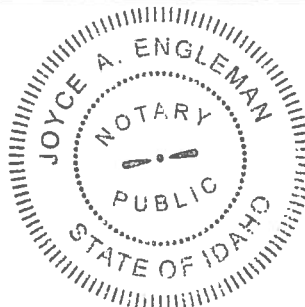
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 12th day of June, 2014, before me,

a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Joyce A. Engleman
Notary Public for Idaho
Residing at Twin Falls, Idaho 6/28/19

My commission expires: _____



✓ OK DM
6/23/2014

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78948**

✓ **SUNRISE ORGANIC DAIRY LLC**, 329 S 417 E, JEROME, ID 83338; has filed Application No. 78948 for changes to the following water rights within JEROME County(s): Right No(s). 36-2254A, 36-2284, 36-8401. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU), nature of use, season of use, and points of diversion for a 47.8-acre (0.74 CFS) portion of groundwater irrigation rights 36-2254A, 36-2284, and 36-8401, located approximately 6.7 - 7.1 mi E & 1.1 - 1.3 mi N of Hazelton. Application proposes to dry-up the 47.8 acres at the current authorized POU to facilitate the pumping of an additional (0.74 CFS) 148 AF, year-round stockwater/commercial use at an existing dairy, located approximately 7.1 - 8.1 mi E & 5.4 - 5.6 mi N of Hazelton from three existing wells.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79142**

✓ **VANDERVEGT DAIRY LLC**, 4098 HIDDEN LAKES DR, KIMBERLY, ID 83341; has filed Application No. 79142 for changes to the following water rights within MINIDOKA County (s): Right No(s). 36-2257, 36-7517. The purpose of the transfer is to change a portion of the above rights as follows: This application proposes to change the place of use, period of use, nature of use, and point of diversion for a 0.14 CFS (34.62 AF) portion of groundwater rights 36-7517 and 36-2257, which are currently used for irrigation on 8.65 acres located approximately 4.7 to 5.0 miles north and 6.3 to 6.5 miles west of Paul. The new proposed uses will be year-round stockwater and commercial at a heifer facility located near the current place of use. The new point of diversion will be a well located approximately 4.7 miles north and 6.4 miles west of Paul.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79144**

✓ **IRENE VANDERVEGT-GIBSON**, 4098 HIDDEN LAKE DR, KIMBERLY, ID 83341; has filed Application No. 79144 for changes to the following water rights within MINIDOKA County (s): Right No(s). 36-16467, 36-16469, 36-16471, 36-2257, 36-7517. The purpose of the transfer is to change a portion of the above rights as follows:

Application proposes to change the place of use (POU), period of use, nature of use, and points of diversion (PODs) of portions of groundwater rights 36-7517, 36-2257, 36-16467, 36-16469, & 36-16471. The portion of rights 36-7517 & 36-2257 (0.36 CFS) being transferred are currently authorized for irrigation on 21.7 acres, located approximately 4.5 - 4.7 mi. N and 6.3 - 6.5 mi. W of Paul. The portion of rights 36-16467, 36-16469, & 36-16471 (0.54 CFS) being transferred are currently authorized for irrigation on 31.5 acres, located approximately 4.0 - 4.7 mi. N and 7.0 - 7.5 mi. W of Paul. Application proposes to change the nature of use and POU of these rights from irrigation during the irrigation season to year-round stockwater/commercial use at an existing dairy, located adjacent to the authorized POU of rights 36-7517 & 36-2257. Upon approval, the corresponding acres will be dried up for 0.9 CFS (166 AFA) of use at the dairy from two existing wells, located within the facility. Rights 36-16467, 36-16469, 36-16471 are currently leased to the Water Supply Bank, and transferred portions will be removed from the WSB to accommodate the transfer.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79330**

✓ **NORTH SNAKE GROUND WATER DISTRICT**, 152 E MAIN ST, JEROME, ID 83338; **MAGIC VALLEY GROUND WATER DISTRICT**, PO BOX 430, PAUL, ID 83347; **SOUTHWEST IRRIGATION DISTRICT**, 137 W 13TH ST, BURLEY, ID 83318; has filed Application No. 79330 for changes to the following water rights within GOODING County(s): Right No(s). 36-2055. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the place of use (POU) and also add a Mitigation component for a 10 cfs portion of water right 36-2055, currently diverted from Upper Tucker Springs, located approximately 3.1 mi. S and 1.3 mi. E of Hagerman. The current place of use (POU) for this right is located at the Idaho Fish and Game Fish Facility, located approximately 1.1 to 1.3 mi. E and 3.4 to 3.5 mi. S of Hagerman. The proposed POU for the Fish Propagation use will include the existing Fish and Game Facility and the Rangen Fish Facility, located approximately 2.2 to 2.5 mi. E and 2.6 to 2.8 mi. S of Hagerman. The proposed POU for the mitigation component includes a large portion of the Hagerman Valley and also areas associated with the Rangen Fish Facility.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before June 23, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on June 5th & 12th, 2014

✓ OK DM 6/23/2014